

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In Re: :
Percy J. Cornelious, : Case No.: 19-51311
: Chapter: 7
Debtor. : Judge: C. Kathryn Preston
: :
:

**APPLICATION TO EMPLOY TOM EROSHEVICH AND RE/MAX NORTH
AND NOTICE AND CERTIFICATE OF SERVICE**

Pursuant to 11 U.S.C. §327(a) and (d), Rule 2014 of the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rule 2014-1, Larry J. McClatchey, Applicant Trustee in the within case, respectfully represents as follows:

1. Percy J. Cornelious, Debtor, filed a petition for relief under Chapter 7 of the Bankruptcy Code on March 7, 2019.
2. Applicant was appointed Trustee on March 8, 2019, and is the duly qualified and acting Trustee.
3. Applicant desires to employ Tom Eroshevich of RE/MAX North, 870 High Street, Worthington, Ohio 43085, as a realtor to list and sell the single family residence which is commonly known as 2560 Willowgate Road, Grove City, Ohio 43123 (the "Property").
4. It is necessary to employ a realtor because Applicant has determined that there is equity in the Property to administer for the benefit of creditors in this case. Applicant further believes that the employment of a professional realtor to value, market and sell the subject real estate is necessary and in the best interest of the estate, and approval of the employment is requested as of the date of the Application.
5. The Debtor owns the Property that is encumbered by a lien in favor of U.S. Bank National Association. Trustee expects to obtain the consent of the secured creditor to a private sale and a "carve out" amount for the benefit of the bankruptcy estate.
6. The qualifications of Eroshevich to act as realtor are set forth in the attached Verified Statement. If Trustee subsequently determines a sale effort should be made, Trustee intends to list the Property for sale through Eroshevich.

7. To the best of Applicant's knowledge, Eroshevich is a licensed realtor, and, based upon the attached Verified Statement, known to the Trustee to be competent, disinterred, and to neither hold nor represent any interest adverse to the bankruptcy estate, nor does he have any relation to or connection with a judge of the Bankruptcy Court of the District Court for the Southern District of Ohio or the Office of the United States Trustee which would render the proposed employment improper under B.R. 5002, nor is he an officer or employee of the Judicial Branch of the United States or the United States Department of Justice.
8. No fees or retainer has been paid to Eroshevich in the one year prior to the filing of the petition through the time of the application in the within case.

WHEREFORE, Applicant request the entry of an Order authorizing the employment of Tom Eroshevich of RE/MAX North at 870 High Street, Worthington, Ohio 43085, to perform the services described above effective from the date of this Application.

/s/Larry J. McClatchey
Larry J. McClatchey (0012191)
Kegler, Brown, Hill + Ritter, Co., LPA
65 East State Street, Suite 1800
Columbus, Ohio 43215
Telephone: (614)462-5400
Facsimile: (614)464-2634
lmclatchey@keglerbrown.com
Trustee

NOTICE AND CERTIFICATE OF SERVICE

PLEASE TAKE NOTICE that Larry J. McClatchey, Trustee filed an Application to Employ Realtor with the Court.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this Bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief requested, or if you want the court to consider your views on the application then on or before **twenty one (21) days from the date set forth in the certificate of service for the motion or objection** ("Response Date"), you must file with the court a response explaining your position by mailing your response by regular US Mail to the Clerk of the United States Bankruptcy Court, 170 North High Street, Columbus, Ohio 43215 OR your attorney must file a response using the court's ECF System. If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the Response Date.

You must also mail a copy of your response on or before the Response Date by 1) the Court's ECF System or 2) by regular US Mail to Trustee's counsel, Larry J. McClatchey, Kegler Brown Hill + Ritter, 65 East State Street, Suite 1800, Columbus, Ohio 43215. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Application to Employ was served through the court's ECF System on all ECF participants registered in this case at the email addresses registered with the court, and by ordinary U.S. Mail on May 10, 2019 addressed to:

Percy J. Cornelious
2560 Willowgate Road
Grove City, Ohio 43123

Tom Eroshevich
RE/MAX North
870 High Street
Worthington, Ohio 43085

and See Attached Exhibit A

/s/Larry J. McClatchey
Larry J. McClatchey (0012191)
Kegler, Brown, Hill + Ritter, Co., LPA
65 East State Street, Suite 1800
Columbus, Ohio 43215
Telephone: (614)462-5400
Facsimile: (614)464-2634
lmccLatchey@keglerbrown.com
Trustee

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

In Re:

Percy J. Cornelious, : Case No.: 19-51311
: Chapter: 7
: Judge: C. Kathryn Preston
Debtor. :

VERIFIED STATEMENT OF TOM EROSHEVICH

State of Ohio :
: ss.
County of Franklin :

Tom Eroshevich, being duly sworn, deposes and says:

1. I am a licensed, duly qualified and authorized to work in the State of Ohio.
2. My business maintains an office at 870 High Street, Worthington, Ohio 43085.
3. To the best of my knowledge and information, other than as stated above, I have had no other connection with the Debtor, Percy J. Cornelious, his creditors, or any other party in interest herein, or their respective attorneys or accountants.
4. To the best of my knowledge and information, I am a disinterested person as defined in 11 U.S.C. §101(14) and have no interest materially adverse to the Debtor, his estate or the creditors in matters upon which I am to be engaged.
5. To the best of my knowledge and information, no employee of my office is a relative of the United States Trustee or of a bankruptcy judge of the United States Bankruptcy Court for the Southern District of Ohio. I am not an officer or employee of the Judicial Branch of the United States or the United States Department of Justice, which would render my proposed employment improper under B.R. 5002.
6. I have not previously represented the Trustee.
7. I understand that compensation to me is subject to 11 U.S.C. §330 and applicable rules of this Court. Unless the Court permits me to be paid at the closing from the sale proceeds, I understand that I must request compensation as an expense of administration in accordance with rules of the Court. My customary and proposed rate of compensation is a 6% realtor's

commission upon closing of sale of the property, which commission includes out-of-pocket expenses.

8. No fee or retainer has been received by me nor any employee in my office, as to compensation in connection with this case.
9. I will not, under any circumstances, directly or indirectly, purchase or acquire any interest in any of the property to be sold by me.



Tom Eroshevich, Realtor
RE/MAX NORTH
870 High Street
Worthington, Ohio 43085
Telephone: (614)431-0300
Facsimile: (614)431-5258
teroshevich@gmail.com

Southern District of Ohio
Columbus
Fri May 10 11:50:26 EDT 2019

EXHIBIT A

Advance America Small Loans of OH Inc.
135 North Church Street
Spartanburg, SC 29306-5138

American Profit Recovery
Attn: Bankruptcy
34505 W 12 Mile Road #333
Farmington Hills, MI 48331-3288

Asst US Trustee (Col)
Office of the US Trustee
170 North High Street
Suite 200
Columbus, OH 43215-2417

CMRE Financial Services
Attn: Bankruptcy
3075 E Imperial Hwy Ste 200
Brea, CA 92821-6753

Chase Auto Finance
Attn: Bankruptcy
Po Box 901076
Fort Worth, TX 76101-2076

Chase Card Services
Attn: Bankruptcy
Po Box 15298
Wilmington, DE 19850-5298

(p) CHOICE RECOVERY INC
1550 OLD HENDERSON ROAD
STE 100
COLUMBUS OH 43220-3662

(p) COLUMBIA GAS
290 W NATIONWIDE BLVD 5TH FL
BANKRUPTCY DEPARTMENT
COLUMBUS OH 43215-4157

Columbus City Treasurer
Power Sewer and Water Services
PO Box 182882
Columbus, OH 43218-2882

Comenity/MPRC
Attn: Bankruptcy Dept
Po Box 965060
Orlando, FL 32896-5060

Percy J Cornelious
2560 Willowgate Rd
Grove City, OH 43123-1589

Credence Resource Management
Po Box 2300
Southgate, MI 48195-4300

Credit First National Association
Attn: Bankruptcy
Po Box 81315
Cleveland, OH 44181-0315

(p) ENCIRCLE COLLECTIONS INC
8300 NW 53 STREET SUITE 350
DORAL FL 33166-7712

Franklin Collection Service, Inc.
Attn: Bankruptcy
Po Box 3910
Tupelo, MS 38803-3910

Grant Medical Center
PO Box 182140
Columbus, OH 43218-2140

Grove City Eye Associates
1770 Stringtown Rd
Grove City, OH 43123-9049

Karen E Hamilton
19 East Kossuth
Columbus, OH 43206-2001

Richard John LaCivita
Reimer Law Co
30455 Solon Rd
Solon, OH 44139-3415

Loanmax
4701 W Broad St
Columbus, OH 43228-1612

Larry J McClatchey
65 East State Street
Suite 1800
Columbus, OH 43215-4295

Midland Funding
2365 Northside Dr Ste 300
San Diego, CA 92108-2709

Mr. Cooper (US bank)
Attn: Bankruptcy
8950 Cypress Waters Blvd
Coppell, TX 75019-4620

Nationwide Credit Inc
PO Box 14581
Des Moines, IA 50306-3581

PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

Plaza Services, LLC
110 Hammond Drive
Suite 110
Atlanta, GA 30328-4806

(p) PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Portfolio Recovery

Keimer Law Co

Sunrise Credit Services, Inc.

Po Box 41021

PO Box 39696

PO Box 9100

Norfolk, VA 23541-1021

Solon, OH 44139-0696

Farmingdale, NY 11735-9100

Synchrony Bank
 c/o PRA Receivables Management, LLC
 PO Box 41021
 Norfolk, VA 23541-1021

T MobileTMobile USA Inc
 by American InfoSource as agent
 PO Box 248848
 Oklahoma City OK 731248848

Time Warner Cable
 PO Box 0916
 Carol Stream, IL 60132-0916

United Collection Bureau
 PO Box 183221
 Columbus, OH 43218-3221

United Collection Bureau, Inc.
 PO Box 1418
 Maumee, OH 43537-8418

WOW
 PO Box 4350
 Carol Stream, IL 60197-4350

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Choice Recovery
 1550 Old Henderson Road
 Suite 100
 Columbus, OH 43220

Columbia Gas
 290 W Nationwide Blvd Unite 114
 Columbus, OH 43215

Encircle Collection Inc
 3390 Mary St Suite 116
 Coconut Grove, FL 33133

Portfolio Recovery
 120 Corporate Blvd Ste 100
 Norfolk, VA 23502

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) U.S. Bank National Association

End of Label Matrix	
Mailable recipients	38
Bypassed recipients	1
Total	39